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SUBJECT: NEPAL: PARTY MANIFESTOS POINT TO CONTENTIOUS
CONSTITUENT ASSEMBLY

Summary

1. (U) According to post's review of the manifestos of twelve of the most important political parties contesting the April 10 Constituent Assembly election, all but one party want a President to become Nepal's head of state. Most parties acknowledge a role for a Prime Minister. Most parties also call for a federal structure with autonomous states or provinces and a bicameral legislature at the center. Major differences arise over the powers of the President and Prime Minister and the way they are to be elected. Other issues addressed in the manifestos include the structure of the judiciary, the economy, equal rights for Madhesi and other marginalized groups, and military integration.

The President As Head of State

2. (U) Post's review of the party manifestos of 12 of the most important parties, including the three parties expected to dominate on Election Day -- the Communist Party of Nepal - United Marxist Leninist (UML), Nepali Congress (NC), and the Communist Party of Nepal (Maoist) (CPN-M) -- reveal that all parties but one call for a President to be the head of state under the new constitution. UML, NC, and two Madhesi parties -- Terai-Madhes Democratic Party (TMDP) and Sadhbavana Party -- (SP) view the President's role as mainly ceremonial. The Maoists, the Madhesi People's Rights Forum (MPRF), and smaller communist parties see the President holding executive powers. The first group of parties wants the President to be elected indirectly by the legislature. The second group, in contrast, wants the people to elect him or her directly. Rastriya Prajatantra Party) Nepal (RPP-Nepal) is the most prominent party advocating publicly that Nepal should retain a constitutional monarchy after the April 10 Constituent Assembly election.

The Role of the Prime Minister

3. (U) The likely top three parties propose a Prime Minister (PM) as the head of the government, but his or her powers vary depending on the authority ascribed by the party to the

President. UML and NC are for a PM elected directly by the people. The CPN-M and most of the minor communist parties propose that the legislature should decide on the PM. The MPRF sees no need for a PM at all, and neither, apparently, does the small leftist Nepal Workers and Peasants Party (NWPP).

Federal Structure

¶4. (U) In keeping with the Interim Constitution, most of the 12 parties agree that Nepal should be transformed from a unitary state into a federal one. The parties differ on the number of provinces/states proposed. UML and NC want autonomous states based on ethnic, linguistic, cultural and regional characteristics. UML would form a high-level constitutional commission to decide on ethnic, cultural, and historical identity. NC wants to transform the unitary central system into an integrated and indivisible federal system divided into three layers: central, provincial, and local. The Maoists propose 11 states, nine of which would be based on ethnicity and two on geography. The Madhesi parties want only 3 states based on geography: the mountains (&himal8), the hills (&pahad8) and the plains (the Terai). NWPP would change the 14 current zones (&anchal8) into autonomous states. RPP-Nepal supports autonomous provincial rule based on ethnic, geographical, and economic viability. All the major parties are in favor of a bicameral legislature at the center.

Judicial Structure

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¶5. (U) Most parties propose a federal court system with a Supreme Court at the apex. The parties differ on the amount and need of district/appellate courts. UML calls for a four-tiered system: a federal Supreme Court, regional high courts, area court and local court with a parliamentary hearing on appointment of judges. NC wants a Supreme Court at the center and appellate courts in the provinces. NC calls for constitutional or public hearings for appointing judges. Maoists want multiple Supreme Courts, high courts, district courts, and reconciliation centers. MPRF wants three levels of courts: the Supreme Court, provincial and district courts subject to federal (constitutional) supremacy. (Note: Nepal currently has a three-tiered system of 75 district courts, 16 appellate courts and the Supreme Court. End note.)

Economy

¶6. (U) UML's manifesto calls for a mixed economy similar to the current structure consisting of public, cooperative, and private sectors. The party plans to put a priority at the national level on modernizing agriculture, tapping water resources, and promoting tourism. It also intends to form a financial commission to distribute revenue between central, provincial, and local governments. NC's manifesto calls for an open economy with foreign aid allocated by a newly formed finance commission. NC wants the provincial governments to have authority to mobilize loans for infrastructure development. The Maoists support an open economy (Comment: At least, that is what they claim. End Comment) that will end the existing &feudalism8 by forming a national policy towards rapid economic growth. &Revolutionary land reform8 shall be carried out based on the principle of land to the tillers. The CPN-M will promote a public-private partnership system. It plans to establish an economic policy to develop socialism-oriented national industrial capitalism. The Maoists have the goal of reaching developed country status within 40 years based on their new transitional economic policy. RPP-Nepal believes in a liberal open market economy that is enshrined in the new constitution. TMDP, along with

other smaller Madhesi parties, calls for a mixed economic system while two of the minor leftist parties would like more of the economy to be nationalized.

Other Issues

¶7. (U) Equal rights for marginalized groups, military integration, and foreign policy are some of the other issues raised in the various manifestos. The minor, leftist People's Front Nepal seeks an end to all forms of exploitation and oppression of farmers and workers, women, Dalits, Madhesis and other Terai dwellers, Muslims, rural citizens, and disabled people. The Rastriya Prajatantra Party (RPP) places a similar emphasis on equal rights and opportunity. RPP and RPP-Nepal stress gender equality in the new Nepal. The Madhesi parties also emphasize greater representation of minority groups in government institutions. In particular, MRPF, TMDP and SP have promised to appoint Madhesis to the Nepal Army. NWPP calls for mandatory military training to all citizens above 18 years and for shifting the capital. The UML, NC, CPN-M and TMDP call for a foreign policy based on the idea of mutual co-existence. UML and NC specifically cite the UN Charter as their foreign policy standard. Almost all of the parties have proposed to guarantee press freedom, freedom of speech, human rights, rule of law, and civil liberties for all citizens. UML and NC make specific mention of ending impunity and corruption and press for the creation of the Truth and Reconciliation Commission mandated by the Interim Constitution.

Comment

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¶8. (SBU) The extent to which any of these manifestos will be implemented will depend first of all on the success of the respective parties at the Constituent Assembly polls on April ¶10. No party, not even the UML, Nepali Congress or Maoists, is expected to win a majority in the new 601-member chamber. Instead it is likely that an eventual coalition of many, if not all, of the 12 parties discussed above and perhaps a few more will have the difficult task of shepherding a new constitution to a successful conclusion. While there are clearly a number of points of convergence) notably that Nepal should become a federal republic headed by a President) there are many other points where the parties diverge. Those differences include the respective roles of the President and the Prime Minister and the boundaries and powers of the new federal provinces or states. We anticipate it will be a contentious Constituent Assembly.

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